

PATENT APPLICATION

**RESPONSE UNDER 37 CFR §1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER ART UNIT 3692**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Harlan Arthur HURWITZ et al.

Group Art Unit: 3692

Application No.: 10/524,111

Examiner: L. MAGUIRE

Filed: December 9, 2005

Docket No.: 115572.02

For: CAPACITY MANAGEMENT AND TIMING

REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 1, 2008 Office Action, reconsideration of the above-identified application is respectfully requested in light of the following remarks.

Claims 1-4, 6-19 and 24 are pending in this application. No claims are amended.

Claims 1-4, 6-19 and 24 were rejected under 35 U.S.C. §103(a) over Kobayashi et al., U.S. Patent No. 6,014,649, in view of Chenevich et al., U.S. Patent Application Publication No. 2002/0111886. The rejection is respectfully traversed.

The Office Action, on page 3, alleges "it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kobayashi et al. '649, in view of the teachings of Chenevich et al. '886 , for the basic reason of allowing more then [sic] one person to use the system at once, or for multiple media actions to be performed at once," citing Chenevich at paragraphs [0008] and [0041] and Kobayashi at col. 34, lines 1-11.